



JAMES A. NOYES, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

December 5, 2002

IN REPLY PLEASE  
REFER TO FILE: **PD-2**

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**EXCHANGE OF CITY OF LONG BEACH FEDERAL-AID HIGHWAY FUNDS  
FOR COUNTY OF LOS ANGELES GASOLINE TAX FUNDS  
CITY OF LONG BEACH-COUNTY COOPERATIVE AGREEMENT  
SUPERVISORIAL DISTRICT 4  
3 VOTES**

**IT IS RECOMMENDED THAT YOUR BOARD:**

Approve and instruct the Chair of the Board to sign the enclosed agreement between the County of Los Angeles and the City of Long Beach providing for the County to pay \$710,000 in County gasoline tax funds to the City in exchange for an equivalent amount of the City's remaining Federal-aid credit through its previous assignment of Federal-aid funds to the County under City-County Agreement No. 71760.

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Your Board's approval of the enclosed agreement is necessary to effect the exchange of \$710,000 of the City of Long Beach's remaining Federal-aid credit, through its previous assignment of Federal-aid funds to the County under City-County Agreement No. 71760, for an equivalent amount of County gasoline tax funds.

This exchange of funds is mutually beneficial to and in the general interest of the City and the County.

### **Implementation of Strategic Plan Goals**

This action meets the County's Strategic Plan Goal of Service Excellence as it provides the City with less restrictive funds for the improvements of its streets for the benefit of the motoring public.

### **FISCAL IMPACT/FINANCING**

Your Board's approval of the enclosed agreement will result in no direct fiscal impact on the County. The City's remaining Federal-aid credit, through its previous assignment of Federal-aid funds to the County under City-County Agreement No. 71760, will be used on County road construction projects, which would have otherwise been financed with gasoline tax funds.

The \$710,000 in gasoline tax funds to be paid to the City of Long Beach is available in the Fiscal Year 2002-2003 Road Fund Budget.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The enclosed agreement provides for the County to pay a lump sum of \$710,000 in gasoline tax funds to the City in exchange for an equivalent amount of City's remaining Federal-aid credit through its previous assignment of Federal-aid funds to the County under City-County Agreement No. 71760.

The agreement has been approved by the City of Long Beach and approved as to form by County Counsel.

### **ENVIRONMENTAL DOCUMENTATION**

Since the enclosed agreement does not constitute the approval of a project pursuant to Sections 301 and 307 of the County of Los Angeles Environmental Document Reporting Procedures and Guidelines, the proposed action is not subject to the requirements of the California Environmental Quality Act.

The Honorable Board of Supervisors  
December 5, 2002  
Page 3

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

The County will be processing Federal-aid eligible projects in unincorporated areas to which the City's remaining Federal-aid credit, through its previous assignment of Federal-aid funds to the County under City-County Agreement No. 71760, can be obligated.

**CONCLUSION**

Enclosed are two copies of the agreement, which have been approved by the City and approved as to form by County Counsel. Upon approval, please return the copy marked "CITY ORIGINAL" to Public Works for processing together with one approved copy of this letter. The copy marked "COUNTY ORIGINAL" is for your files.

Respectfully submitted,

JAMES A. NOYES  
Director of Public Works

ESC:yr  
C020922  
A:\LBH EXCH FED-AID CREDIT FOR CO GAS TAX FUNDS.wpd

Enc.

cc: Chief Administrative Officer  
County Counsel

## A G R E E M E N T

THIS AGREEMENT, made and entered into by and between the CITY OF LONG BEACH, a municipal corporation in the County of Los Angeles, hereinafter referred to as "CITY," and the COUNTY OF LOS ANGELES, a political subdivision of the State of California, hereinafter referred to as "COUNTY":

## W I T N E S S E T H

WHEREAS, pursuant to CITY-COUNTY AGREEMENT No. 71760, CITY had previously assigned to COUNTY One Million Five Hundred Sixty Thousand and 00/100 Dollars (\$1,560,000.00) in Federal Surface Transportation Program funds, hereinafter referred to as "FEDERAL-AID CREDIT"; and

WHEREAS, pursuant to CITY-COUNTY AGREEMENT No. 72887, CITY had previously exchanged Eight Hundred Fifty Thousand and 00/100 Dollars (\$850,000.00) of its FEDERAL-AID CREDIT for an equivalent amount of COUNTY gasoline tax funds to be utilized to finance the acquisition of right of way within CITY'S jurisdiction for the Spring Street from Long Beach Boulevard to California Avenue project; and

WHEREAS, CITY now desires to exchange its remaining FEDERAL-AID CREDIT in the amount of Seven Hundred Ten Thousand and 00/100 Dollars (\$710,000.00) for an equivalent amount of COUNTY gasoline tax funds; and

WHEREAS, CITY intends to utilize these gasoline tax funds to finance CITY'S share of a portion of the cost for the Spring Street from Long Beach Boulevard to California Avenue project; and

WHEREAS, COUNTY is currently processing projects under the Federal Surface Transportation Program to which CITY'S FEDERAL-AID CREDITS can be readily obligated; and

WHEREAS, such an exchange of funds is beneficial to and in the general interest of CITY and COUNTY.

NOW, THEREFORE, in consideration of the mutual benefits to be derived by CITY and COUNTY and of the promises herein contained, it is hereby agreed as follows:

(1) CITY AGREES:

- a. To exchange Seven Hundred Ten Thousand and 00/100 Dollars (\$710,000.00) in FEDERAL-AID CREDIT through CITY'S previous assignment of Federal-aid funds to COUNTY under CITY-COUNTY AGREEMENT No. 71760 for an equivalent amount of COUNTY gasoline tax funds.
- b. To invoice COUNTY for Seven Hundred Ten Thousand and 00/100 Dollars (\$710,000.00) upon receipt of CITY'S copy of the fully executed AGREEMENT.
- c. To utilize these gasoline tax funds, in accordance with Article XIX of the State Constitution, to finance a portion of its share of the cost for the Spring Street from Long Beach Boulevard to California Avenue project.

(2) COUNTY AGREES:

- a. To accept CITY'S FEDERAL-AID CREDIT in the amount of Seven Hundred Ten Thousand and 00/100 Dollars (\$710,000.00) in exchange for an equivalent amount of COUNTY gasoline tax funds.
- b. To pay to CITY, following full execution of this AGREEMENT and upon receipt of CITY'S billing invoice, Seven Hundred Ten Thousand and 00/100 Dollars (\$710,000.00) in COUNTY gasoline tax funds.

(3) IT IS MUTUALLY UNDERSTOOD AND AGREED AS FOLLOWS:

- a. This AGREEMENT may be amended or modified only by mutual written consent of COUNTY and CITY.

- b. Any correspondence, communication, or contact concerning this AGREEMENT shall be directed to the following:

CITY:

Mr. Edward Shikada  
Director of Public Works  
City of Long Beach  
333 West Ocean Boulevard  
Long Beach, CA 90802-4664

COUNTY:

Mr. James A. Noyes  
Director of Public Works  
County of Los Angeles  
Department of Public Works  
P.O. Box 1460  
Alhambra, CA 91802-1460

- (3) It is understood and agreed that the provisions of Assumption of Liability Agreement No. 32067 between CITY and COUNTY, adopted by the Board of Supervisors on December 27, 1977, and currently in effect, are inapplicable to this AGREEMENT.

IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT to be executed by their respective officers, duly authorized, by the CITY OF LONG BEACH on \_\_\_\_\_, 2002, and by the COUNTY OF LOS ANGELES on \_\_\_\_\_, 2002.

COUNTY OF LOS ANGELES

ATTEST:

VIOLET VARONA-LUKENS  
Executive Officer of the  
Board of Supervisors of  
the County of Los Angeles

By \_\_\_\_\_  
Chairman, Board of Supervisors

By \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:

LLOYD W. PELLMAN  
County Counsel

By \_\_\_\_\_  
Deputy

CITY OF LONG BEACH

By \_\_\_\_\_  
City Manager

APPROVED AS TO FORM:

By \_\_\_\_\_  
City Attorney